

THE HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.17907 of 2017

ORDER:

The petitioners state that they are residents of Bhuvvana palli village, Nidmaru mandal, West Godavari district and there is no drinking water connection to their village. The 2nd respondent issued proceedings on 22-05-2014 fixing the rates for providing water connections to the villagers. From the said rates the persons above poverty line should pay Rs.4,000/-, below poverty line Rs.2,000/- and for commercial purposes Rs.8,000/- as a one time payment. The monthly payment for domestic consumption is Rs.50/-, whereas for commercial purposes is Rs.100/-.

The 5th respondent passed a resolution on 02-03-2014 without knowledge of the members of the 4th respondent Gram Panchayat and collected Rs.15,000/- from the villagers for providing water connections and the petitioners state that they paid an amount of Rs.15,000/- to the 5th respondent. When the water connections were not given, the present writ petition is filed.

A counter-affidavit is filed by the 4th respondent stating that there was no Gram Sabha that took place on 02-03-2014 and the Gram Panchayat never collected an amount of

Rs.15,000/- as stated by the petitioners. It is also stated that there are already 454 private water tap connections and 90 public water tap connections.

The petitioners have submitted their grievance "Meekosam" in the office of 3rd respondent and the 3rd respondent forwarded the said grievance to the 4th respondent. It is also stated that the 3rd respondent gave permission for providing 500 tap connections @ Rs.10,000/- for each tap connection by proceedings, dated 11-02-2015 and the Gram Panchayat is ready and willing to give private water tap connections to all the eligible persons who fulfill the conditions.

A separate counter-affidavit is filed by the 5th respondent denying collection of Rs.15,000/- from the villagers. The 5th respondent also denied passing of a resolution on 02-03-2014 as alleged by the petitioners.

In the light of the above averments and in absence of any evidence of payment of the amount of Rs.15,000/- to the 5th respondent, the allegations made by the petitioners cannot be accepted. The writ petition is deserves to be dismissed on the ground of false averments.

However, the dismissal of this writ petition will not prevent the petitioners from applying to the Gram Panchayat for providing water tap connection subject to the terms and conditions imposed by the Gram Panchayat. There shall be no order as to costs.

The Miscellaneous Petitions, if any, pending in this Writ Petition shall stand closed.

August 22, 2017

Pn

A. RAMALINGESWARA RAO, J



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